IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 19TH FEBRUARY 2007 / 30TH MAGHA 1928

Bail Appl..No. 894 of 2007()

AGAINST THE ORDER IN BA.343/2007 Dated 22/01/2007
CRIME NO.373/06 OF MUKKOM POLICE STATION

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: PETITIONERS/ACCUSED:

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1. ABDURAHIMAN K., S/O. MOIDEEN,
AGED 47 YEARS, KOODAMPOYIL HOUSE, KARASSERY P.O.,
KAKKAD AMSOM, KARASSERY DESOM, KOZHIKODE TALUK.

2. AKSAD RAHIMAN, S/O.ABDURAHIMAN,
AGED 24 YEARS, KOODAMPOYIL HOUSE, KARASSERY P.O.,
KAKKAD AMSOM, KARASSERY DESOM, KOZHIKODE TALUK.

BY ADV. SRI.P.CHANDRASEKHAR

RESPONDENT: COMPLAINANT:

THE STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, KOCHI.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 19/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO.894 OF 2007

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DATED THIS THE 19th DAY OF FEBRUARY, 2007

O R D E R

Petitioners who are accused Nos.1 and 2 in Crime No.373/06 of Mukkom Police Station for offences punishable under sections 324 and 308 read with section 34 IPC, seek their enlargement on bail.

2. Learned Public Prosecutor opposed the application.

3. The occurrence took place at about 6.15 PM on 10.12.2006 during which the de facto complainant who is the neighbour, his wife, daughter and son-in-law were attacked with weapons like chopper and iron rod. Petitioners surrendered before the Investigating Officer on 8.2.2007 and on production before the J.F.C.M.-II, Thamarassery they were remanded to judicial custody on the same day.

4. After considering the facts and circumstances of the case including the duration of judicial custody of the petitioners, I am inclined to grant bail to the petitioners with effect from a future date. Accordingly, the petitioners are directed to be released on bail with effect from 26.2.2007 on each of them executing a bond for Rs.10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-II, Thamarassery and subject to the following conditions:

1. The petitioners shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioners shall make themselves available for interrogation as and when required by the Police, till the filing of the final report.

3. The petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

4. The petitioners shall not commit any offence while on bail.

If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

dsn